

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

14 Cr. 68 (KBF)

- against -

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**NOTICE OF MOTION
IN SUPPORT OF
DEFENDANT**

ROSS ULBRICHT,

:

ROSS ULBRICHT'S

Defendant. :

PRE-TRIAL MOTIONS

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PLEASE TAKE NOTICE, that upon the annexed Declaration of Joshua L. Dratel, Esq., and all prior papers and proceedings herein, the defendant, ROSS ULBRICHT, will move before the Honorable Katherine B. Forrest, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, at a time and date to be set by the Court, or as soon thereafter as counsel may be heard, for the following relief:

- (a) an Order suppressing the fruits of the searches and seizures, and any evidence or other information derived therefrom obtained in violation of Mr. Ulbricht's Fourth Amendment rights, and pursuant to the "fruit of the poisonous tree" doctrine under *Wong Sun v. United States*, 371 U.S. 471 (1963);
- (b) an Order directing the Government to fulfill Mr. Ulbricht's discovery requests, as set forth in the accompanying Memorandum of Law, pursuant to Rule 16, Fed.R.Crim.P., and Mr. Ulbricht's Sixth Amendment right to prepare a defense;
- (c) an Order directing the Government to produce the requested Bill of Particulars, as detailed in the accompanying Memorandum of Law;
- (d) an Order striking irrelevant and prejudicial surplusage from the Indictment,

pursuant to Rule 7(d), Fed.R.Crim.P., and Mr. Ulbricht's right to due process

under the Fifth and Sixth Amendments; and,

for any such other and further relief as to the Court seems just and proper.

Dated: New York, New York
1 August 2014

/S/ Joshua L. Dratel
JOSHUA L. DRATEL
JOSHUA L. DRATEL, P.C.
29 Broadway, Suite 1412
New York, New York 10006
(212) 732-0707

Attorneys for Defendant Ross Ulbricht

To: CLERK OF THE COURT

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK

ALL DEFENSE COUNSEL